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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,301	09/12/2001	Jagmohan S Rai	36-1508	3633
23117	7590	11/14/2005		
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			EXAMINER PATEL, CHIRAG R	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/936,301	RAI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Chirag R. Patel	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 12-22 is/are pending in the application.
- 4a) Of the above claim(s) 1-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Response to Arguments***

Applicant's arguments with respect to claims 11-20 have been considered but are moot in view of the new ground(s) of rejection. Examiner notes that claims 1-11 have been cancelled. A discussion of claims 12-22 is presented below.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12-14, and 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leung (US 6,487,605) in view of Barzegar (US 5,894,478)

As per claims 12, 19, and 21-22, Leung discloses a method of routing communications data to a mobile user located in one of a plurality of data networks by a router, the router having a data store provided with data relating to characteristics of the networks and the associations between the networks, (Col 5 lines 40-56, Figure 1A: item 6), the method comprising:

receiving mobile user location information relating to the identity of the data network to which the mobile user is currently connected; (Col 10 lines 40-53)

receiving and assembling from plural data packets communications data comprising a complete message to be sent to the mobile user, (Col 2 lines 28-52)

Although Leung discloses a mobility binding table which specifies where the mobile user is located, he fails to disclose storing associated characteristics of the network to which the user is connected, and adapting the complete message and sending it to the mobile user. Barzegar discloses retrieving from the store the associated characteristics of the data network to which the mobile user is currently connected, and the associations between that network and other networks, (Col 4 line 49 – Col 5 line 3, Figure 2: item 216)

adapting the complete message so as to be compatible with the retrieved characteristics, and disassembling the adapted message into data packets and sending the disassembled data packets to the mobile user. (Col 3 lines 10-29)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to store the associated characteristics of the network to which the user is connected, and adapting the complete message and sending it to the mobile user in the disclosure of Leung. The motivation for doing so would have been to allow mobile end-users the flexibility to choose from a plurality of different wireless data networks to perform wireless communications (Col 2 lines 29-37)

As per claim 13, Leung / Barzegar disclose a method as in claim 12, and Leung discloses wherein the router is a home agent attached to a home network. (Col 1 lines 64-65, Figure 1A; item 8)

As per claim 14, Leung / Barzegar disclose a method as in claim 12, and Leung discloses a method as in claim 1 wherein the communication data comprises text data. (Col 1 lines 62 – Col 2 line 3; the internet allows for sending text data.)

As per claim 17, Leung / Barzegar disclose a method as in claim 12, and Leung discloses wherein the adapted communications data is received by an intermediary router and re-routed to the mobile user. (Col 2 lines 28-52)

As per claim 18, Leung / Barzegar disclose a method as in claim 17 wherein the mobile user and the intermediary router are attached to the same one of the plurality of data networks. (Col 2 lines 28-52)

As per claim 20, Leung / Barzegar disclose a digital storage medium containing computer program in claim 19, and Leung discloses wherein the computer program has been downloaded from a server and stored in digital storage media. (Col 23: lines 43-63, Figure 3: item 361)

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leung (US 6,487,605) / Barzegar (US 5,894,478) in view of Penzias (US 5,475,738)

As per claim 15, Leung / Barzegar disclose a method as in claim 12, and Leung fails to disclose wherein the adapted communications data comprises voice data. Penzias discloses wherein the adapted communications data comprises voice data. (Col 7 lines 30-40) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose the adapted communication data as voice data in the disclosure of Leung. The motivation for doing so would have been to allow the interconnection of computer-based text messaging systems and telecommunications based voice messaging systems.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leung (US 6,487,605) / Barzegar (US 5,894,478) in view of Mimura et al. – hereinafter – Mimura (6,557,031).

As per claim 16, Leung / Barzegar discloses a method as in claim 12, and Leung fails to disclose wherein the adaptation of the communications data comprises reducing its size by summarizing the communications data. Mimura discloses wherein the adaptation of the communications data comprises reducing its size by summarizing the communications data. (Col 10 line 63 – Col 11 line 15) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to summarize data by reducing its size in the disclosure of Leung. The motivation for doing so would have been to make sure that the number of transmitted bytes does not exceed the maximum transaction units (MTU). (Col 10 line 63 – Col 11 line 15)

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These references are disclosed in the Notices of References cited page and teach numerous methods of routing data. A close review of these references is recommended.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag R. Patel whose telephone number is (571)272-7966. The examiner can normally be reached on Monday to Friday from 7:30AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

  
RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER